

UNITED STATES DISTRICT COURT

for the
Southern District of OhioIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)415 E. Broad Street, Suite 111
Columbus, Ohio 43215

Case No.

2:20-mj-56

FILED
RICHARD W. HAGEL
CLERK OF COURT
2020 JAN 28 AM 11:27
U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST BIV. COLUMBUS

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):
See attachment A, incorporated herein by reference.located in the Southern District of Ohio there is now concealed (identify the person or describe the property to be seized):
See attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. 923(a)
18 U.S.C. 371
18 U.S.C. 922(d)Offense Description
FFL Dealing Firearms from a location other than the licensed premises
Conspiracy
Sell or dispose of a firearm to a prohibited person

The application is based on these facts:

See Affidavit in Support of the Application, incorporated herein by reference.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me and signed in my presence.

Date: Jan. 28, 2020

City and state: Columbus, Ohio

Applicant's signature
Colin Ginley, ATF Special Agent

Printed name and title

Judge's signature
Kimberly A. Jolson, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN THE MATTER OF THE
APPLICATION OF THE UNITED
STATES OF AMERICA FOR SEARCH
AND SEIZURE WARRANTS
REGARDING 415 E. Broad Street, Suite
111, Columbus, Ohio 43215

Case No.

2:20-mj-56

UNDER SEAL

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Colin J. Ginley, being duly sworn, depose and state that:

I am a Special Agent (SA) with the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so employed since May 14, 2018. Therefore, I am a law enforcement officer as defined in 18 U.S.C. §2510(7). I am presently assigned to the ATF Columbus Field Division. I completed the Criminal Investigator Training Program and the ATF Special Agent Basic Training Academy at the Federal Law Enforcement Training Center, located in Glynco, Georgia, where I received specialized training in the investigation of federal crimes involving firearms, alcohol and tobacco diversion, arson and explosives, and narcotics.

I have participated in numerous federal investigations including federal firearms violations. During these investigations, I participated in various types of investigative techniques, to include electronic surveillance, informants, and controlled purchases of firearms and narcotics from suspects. I participated in physical surveillance operations and in the

execution of multiple federal arrest warrants. I also know how to analyze information resulting from traditional record searches and reviewing case files. As a result of my training and experience, I am familiar with state and federal laws pertaining to illegal firearms trafficking violations, among other offenses. Furthermore, I am familiar with illegal firearms trafficking, illegal firearms trafficking conspiracy techniques utilized by individuals involved in the aforementioned crimes.

I am one of the Lead Investigators in this investigation. I have consulted with the other Lead Investigators regarding this investigation and I have personally participated in the investigation set forth below. I am familiar with the facts and circumstances of the investigation through my personal participation; from discussions with other agents of the ATF and other law enforcement agencies; and from my review of records and reports relating to the investigation. Unless otherwise noted, wherever in this affidavit I assert that a statement was made, the information was provided by another special agent, law enforcement officer or witness who may have had either direct or hearsay knowledge of that statement and to whom I or others have spoken or whose reports I have read and reviewed. Since this affidavit is being submitted for the limited purpose of probable cause, I have not included details of every aspect of the investigation. Throughout this affidavit, reference to “investigators” specifically refers to criminal investigators.

Based on our ongoing investigation, your affiant believes probable cause exists to find that David **BROWN**, Albert **BRADFORD**, Shaneka **MATHIS** and **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284** and others, are engaged in a conspiracy involving illegal firearms trafficking as outlined below, and referenced thereafter as

(the “**TARGET OFFENSES**”). Based on your Affiant’s knowledge, training, and experience, firearms traffickers often use, possess, and carry firearms as well as use, possess, and carry documents, whether digital or physical that detail their illegal firearms trafficking scheme.

Your affiant further believes that evidence and instrumentalities of this activity can be found in the known location of 415 E. Broad St, Suite 111, Columbus, Ohio 43215.

PURPOSE OF AFFIDAVIT

Your affiant submits there is probable cause to believe that evidence of criminal activity, namely the following criminal violations of the federal criminal codes as follows:

- Title 18 United States Code 922(b)(5)-FFL Failing to Keep Required Records,
- Title 18 United States Code 371-Conspiracy
- Title 18 United States Code 923 (a)-FFL Dealing Firearms from a Location Other than the Licensed Premises

The “**TARGET OFFENSES**”, moreover, which are located at 415 E. Broad St, Suite 111, Columbus, Ohio 43215. Because this affidavit is offered for the limited purpose of establishing probable cause in support of this warrant, it does not set forth all facts known to this investigation.

LOCATIONS TO BE SEARCHED

415 E. Broad St, Suite 111, Columbus, Ohio 43215 **TARGET LOCATION**, further described in Attachment A

ITEMS TO BE SEIZED

See Attachment B.

FEDERAL FIREARMS REGULATIONS

1. Pursuant to federal law and regulation, the Federal Firearms Licensee (FFL) is required to obtain and various ATF forms during firearms transactions between FFL and the individual.

Pursuant to federal law and regulation, the FFL is required to obtain a completed ATF Form 4473 (the “Firearms Transaction Record”) from the actual purchaser of a firearm before the FFL can transfer or sell a firearm to any unlicensed person. 18 U.S.C. § 923(g); 27 C.F.R. § 478.124. ATF Form 4473 gathers a host of information about the purchaser, including information to determine if the purchaser may lawfully possess a firearm. FFLs also may not transfer a firearm to an unlicensed person without first conducting a background check through the National Instant Check System (“NICS”), and recording the information on the ATF Form 4473. 18 U.S.C. § 922(t); 27 C.F.R. § 478.102. The NICS process is run by the Federal Bureau of Investigation (“FBI”) and provides the mechanism through which FFLs determine whether a particular purchaser is prohibited from possessing firearms. Providing false or misleading information to an FFL in connection with the acquisition of a firearm, e.g. lying on the ATF 4473, is violation of federal law, 18 U.S.C. § 922(a)(6). Pursuant to federal law and regulation, the FFL is required to complete/submit ATF Form 3310.4 for the transaction of Multiple Sales of handgun should an individual purchase 2 or more handguns within a 5 day period. FFL Failure to Report a Multiple Sale, is a violation of federal law, 18 U.S.C. Section 923 (g)(3)(A).

BACKGROUND

2. ATF Investigators have probable cause to believe that **BROWN**, as the sole responsible licensee of **CAPITAL CITY FIREARMS & SUPPLY LLC**, FFL#: **4-31-049-01-1F-05284**, and that **BRADFORD** has committed, and is committing the **TARGET OFFENSES** in collaboration with **BROWN, CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** and others. ATF Investigators recognize the many ways to purchase firearms including a

common method which involves individuals purchasing firearms utilizing the online process of seeking/shopping a particular firearm online, whether it be ie; armslist, gunbroker, etc, (often known as e-commerce.) The individual purchasing the firearm from the particular listing FFL/Individual is then required to have it transferred from an FFL to an FFL of close proximity to complete the ATF Form 4473. The online firearms purchaser is able to choose an FFL of their choice, which is most often primarily based on close proximity to the purchaser and option FFL transfer fees that each FFL may decide upon. The purchaser would then select the FFL for the firearm to be transferred through, and coordinate with that particular FFL on a time to personally appear at the FFL to complete the ATF Form 4473 with that FFL.

3. ATF Investigators have probable cause to believe that, while being a FFL, **BROWN** is receiving incoming lawful online firearm transfers from FFL's to individuals in the Columbus, Ohio area and utilizing the information to record fictitious ATF Form 4473's. The circumstance involves an incoming lawful online firearm transfer occurring and then the lawful firearm purchaser choosing **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** to conduct the transfer (ATF Form 4473 completion to fully transfer the firearm to the purchaser). Unbeknownst to the lawful online firearm purchaser/transferee, **BROWN** and **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** then does not properly complete the ATF Form 4473 and in certain circumstances utilizes the lawful firearm purchaser's information to complete a fictitious ATF Form 4473. These fictitious ATF Form 4473 detail the sale of firearms that are not actually sold to the listed individuals. Investigators believe that **BROWN** and **BRADFORD** are then selling the firearms listed on the fictitious ATF

Form 4473 to individuals who are not completing ATF Form 4473's.

4. Investigators know that this is often used as a technique to hide firearm purchases.

Investigators received information from inspections conducted by ATF Industry Operations Investigators (IOI) into **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** which revealed that **BROWN** was the sole responsible party for **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**. Furthermore, it was revealed that the licensee business address on file for **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** was 5551 Chatford Drive, Apt F, Columbus, Ohio 43232. Additionally, this address was on file from May 2015 (inception of the FFL licensee) to the approximate time period of August 2019. During an additional ATF IOI inspection in August 2019, it was revealed that **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** changed its business address to **415 E. Broad Street, Columbus, Ohio 43232 TARGET LOCATION**. ATF IOI's received information from Paul Freedman of Columbus Commercial Zoning indicating that FFL's were no longer being permitted to conduct business under home occupation provisions of zoning code. ATF Investigators have conducted periodic surveillance of 415 E. Broad Street Columbus, Ohio, 43232 which has revealed the premises to be an apparent vacant store front structure, with no foot traffic or signage observed. Investigators observed a building directory listing Suite 111 as "CCF" with no other occupancy or establishment indication. Investigators received information from inspections conducted by ATF IOI's into **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** which revealed that **BROWN** claimed no firearm inventory for **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** and that the FFL business consisted of conducting business with friends, family and through e-commerce. Investigators received records from

Lipsey's LLC a gun distributor that showed Lipsey's shipped 50 firearms to **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** at the **TARGET LOCATION** on or about December 3, 2019. Lipsey's shipped 17 more firearms to **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** at the **TARGET LOCATION** on or about December 12, 2019.

FACTS ESTABLISHING PROBABLE CAUSE

5. The information in this affidavit is a compilation of information developed during the ongoing criminal investigation that started in 2019 of the above-described violations. The investigation has involved investigators of the ATF Columbus Field Division, ATF St. Paul Field Division, the Columbus Division of Police, and the Minneapolis Police Department and knowledge is derived from their own personal observations and from a variety of credible sources, including witness interviews, review of public records, police reports, surveillance and information provided to them by other law enforcement and regulatory personnel. This affidavit is intended to show that there is sufficient probable cause for the requested search warrant and does not purport to set forth all investigators' knowledge of the investigation into this matter.
6. For the reasons set out in this affidavit, your affiant believes the investigation to date shows that there is probable cause to believe that the **TARGET OFFENSES** have been committed, are being committed, by **David L. BROWN, Albert M. BRADFORD, Shaneka Nicole MATHIS**, and **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284** and others unknown and known at this time.
7. ATF Investigators have probable cause to believe that **BROWN**, as the sole responsible licensee of **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284**, and **BRADFORD** and **MATHIS** have committed, and is committing the **TARGET**

OFFENSES in collaboration with **BROWN, CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** and others. ATF Investigators have probable cause to believe that **BRADFORD** and **MATHIS** are assisting **BROWN** with the sale of firearms through **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** by trafficking firearms to prohibited individuals, all while being a prohibited person himself. Several of the traced firearms have been recovered by law enforcement in Ohio, Michigan, Minnesota, and Canada in the possession of prohibited people. In several instances, the recoveries have been involved with crimes such as gang related homicides, shootings in close proximity to schools, robberies, and narcotics trafficking based residential search warrants.

8. Beginning in December 2019 investigators became aware of an illegal firearms trafficking organization which involves **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284** and **BROWN**. As previously referenced, **BROWN** is listed as the responsible party, and sole responsible individual for **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284**.
9. On or about October 11, 2019, a joint investigation between ATF St. Paul Field Division and Minneapolis Police Department (MPD) occurred regarding an identified Somali gang member, Mustafa Warsame ALI, (DOB: 1/1/1994). ALI was shot and killed in the area of 23rd Ave. N and Aldrich Ave. N, Minneapolis, MN. (MPD Case # 19-308674). A Glock GMBH, Model 21, .45 caliber semi-automatic handgun, Serial#: XXL989, attributed to ALI was recovered from the scene.
10. On or about October 11, 2019, the Glock GMBH, Model 21, .45 caliber semi-automatic handgun, Serial#: XXL989 was queried by ATF Investigators under ATF Trace#:

T20190364911 and the following timeline of the firearm is as follows;

- a. Ship-To-Date: December 20, 2016 - From the manufacturer (Glock) to the FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284**).
- b. Purchase Date: February 24, 2018 - From the FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**) to the Purchaser of ATF Trace#: T20190364911. T20190364911 (herein referred to as Purchaser 1).
- c. Recovery Date: October 11, 2019 - Recovered by MPD- ALI's homicide, MPD Case # 19-308674.

11. ATF Investigators queried the National Integrated Ballistic Information Network (NIBIN).

NIBIN is a national database of digital images of spent bullets and cartridge cases that were found at crime scenes or test-fired from confiscated weapons. ATF manages the system and provides the equipment to crime labs around the county. NIBIN can be searched for possible matches—that is, other rounds or cases that have similar tool marks and thus may have been fired from the same gun. After a possible match, or “hit” is identified, the crime lab secures the actual spent round(s) or cases and compares them under a microscope to confirm the hit. Then, the lab sends information on the hit (a hit report) to investigators. ATF Investigators discovered that the recovered Glock was linked to the following two NIBIN incidents, each being a discharging of a firearm into a habitation;

- a. May 12, 2017, Columbus Division of Police (CPD), Case # 17-0397468,
- b. July 12, 2017, Columbus Division of Police (CPD), Case # 17-0595159.

12. According to ATF Trace records of the Glock firearm, the Glock firearm was in the inventory of the FFL during this period of the CPD NIBIN incidents that occurred during 2017. This triggered a further investigation into the originating FFL, **CAPITAL CITY**

FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284.

13. An ATF IOI was able to view a prior inspection of **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**, which contains various documents including but not limited to ATF Form 4473's (or lack thereof). The ATF IOI was able to locate an ATF Form 4473 in the name of Purchaser 1 detailing the sale/transfer of a Glock, Model 21, .45 caliber pistol, serial#: BRY2336 or BRYZ336, which occurred on February 24, 2018. Investigators observed the serial number handwritten with very poor penmanship so "BRY2336" or "BRYZ336" is an approximation.
14. ATF investigators reviewed the aforementioned ATF Form-4473. The ATF Form-4473 displays information for a Glock, Model 21, .45 caliber pistol to the same Purchaser 1, on the same date, from the same FFL, but with a different serial number.
15. On or about December 10, 2019, SA David Voth of the ATF St. Paul Field Division contacted **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**, and spoke to **David BROWN**. SA Voth requested a copy of the ATF Form-4473 for the Glock GMBH, Model 21, .45 caliber pistol, serial#: XXL989. (The aforementioned firearm recovered from the Minneapolis homicide scene involving ALI's homicide, MPD Case # 19-308674.)
16. On December 10, 2019, SA Voth received an email from **BROWN** at capcityfirearms1@gmail.com with the ATF Form-4473 in the name of Purchaser 1 detailing the sale/transfer of a Glock GMBH, Model 21, .45 caliber pistol, S/N: XXL989, on February 24, 2018.
17. On December 11, 2019, SA Voth reviewed copies of two (2) different ATF Form-4473s both in the name of Purchaser 1. Both ATF Form-4473s displayed the sale/transfer of a Glock

firearm, same caliber (.45) and same model (21) but different serial numbers, for the same date of February 24, 2018, and from the same FFL, **CAPITAL CITY FIREARMS & SUPPLY LLC**. SA Voth reviewed both of the Form-4473's and it was discovered that both appear to have "Transferor's/Seller's Transaction Serial Number (if any) # 42" in the upper right hand corner of the document. It was also revealed that both documents appear to have the National Instant Criminal Background Check System (NICS) Transaction number of: 100JLYH78. The NICS Transaction number is handwritten with very poor penmanship and "100JLYH78" is the best approximation. The NICS Transaction number appears to be the same, which is not possible, as these numbers are unique to each ATF Form 4473.

18. On December 12, 2019, SA Voth conducted a telephonic interview of Purchaser 1 regarding the above described firearm. Purchaser 1 informed SA Voth that he/she has never purchased a Glock firearm from **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**. Purchaser 1 stated he/she never purchased two Glock firearms and that he/she has never purchased a .45 caliber pistol from any FFL. Purchaser 1 stated he/she purchased one firearm from **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** through an online transfer and stated it was a Smith & Wesson, M&P Shield, 9mm pistol. Furthermore, Purchaser 1 stated he/she communicated with **BROWN** at (614) 270-9557.

19. ATF investigators reviewed documents and conducted inquiries into **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** and it was discovered that **CAPITAL CITY FIREARMS & SUPPLY LLC** never completed/submitted an ATF Form 3310.4 for the transaction of Multiple Sale of handgun regarding the above referenced firearm transactions.

20. On or about December 13, 2019, ATF St. Paul Field Division contacted the ATF Columbus

Field Division regarding the criminal incident and information related to the Glock GMBH, model 21, .45 caliber semi-automatic pistol, serial#: XXL989 and the Glock GMBH, model 21, .45 caliber semi-automatic pistol, serial#: "BRY2336" or "BRYZ336".

21. On or about December 13, 2019, SA Ginley along and CPD Task Force Officer (TFO) Sam Chappell were able to review the above referenced ATF Form-4473's and come to the same conclusion/discrepancies as outlined above regarding **CAPITAL CITY FIREARMS & SUPPLY LLC**.
22. On or about December 13, 2019, SA Ginley reviewed the Federal Licensing System, License Registration Report for **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284**. The report indicated an application type of Form 7, with active status, and an original issue date of May 14, 2015. The below listed individual was listed as the responsible party for **CAPITAL CITY FIREARMS & SUPPLY LLC**:
- a. **David Larry BROWN**, Male/Black, DOB:1/7/1985,
 - b. HOME ADDRESS: 5551 Chatford Drive, Apt F, Columbus, Ohio 43232,
 - c. PH: (614) 270-9557, FAX: (614) 694-4550,
 - d. PREMISES ADDRESS: 415 East Broad Street, Suite 111, Columbus, Ohio 43215, e-mail: capcityfirearms1@gmail.com
23. SA Ginley also confirmed information from Purchaser 1 that **BROWN** and **Capital City Firearms LLC, LLC FFL#:4-31-049-01-1F-05284** utilized a (614) 407-4942 phone number that is not answered and immediately forwards to (614) 270-9557.
24. On or about December 13, 2019, SA Ginley conducted a query of **Capital City Firearms LLC, LLC FFL#:4-31-049-01-1F-05284** which revealed the following;
- a. ATF Trace Number: T20160149037, Request Date: 5/19/16, Time to Crime: 14 Days
 - b. ATF Trace Number: T20170136564, Request Date: 4/28/17, Time to Crime: 358 Days
 - c. ATF Trace Number: T20170237566, Request Date: 7/24/17, Time to Crime: 703 Days
 - d. ATF Trace Number: T20180388270, Request Date: 11/5/18, Time to Crime: 559 Days
 - e. ATF Trace Number: T20180405412, Request Date: 11/20/18, Time to Crime: 169 Days

- f. ATF Trace Number: T201804088116, Request Date: 11/26/18, Time to Crime: 236 Days
- g. ATF Trace Number: T20190186419, Request Date: 5/28/19, Time to Crime: 24 Days
- h. ATF Trace Number: T20190229578, Request Date: 7/2/19, Time to Crime: 76 Days
- i. ATF Trace Number: T20190236547, Request Date: 7/8/19, Time to Crime: 50 Days
- j. ATF Trace Number: T20190324610, Request Date: 9/12/19, Time to Crime: 13 Days
- k. ATF Trace Number: T20190331819, Request Date: 9/18/19, Time to Crime: 27 Days
- l. ATF Trace Number: T20190353097, Request Date: 10/6/19, Time to Crime: 2 Days
- m. ATF Trace Number: T20190363915, Request Date: 10/15/19, Time to Crime: 10 Days
- n. ATF Trace Number: T20190364911, Request Date: 10/15/19, Time to Crime: 594 Days
- o. ATF Trace Number: T20190377707, Request Date: 10/24/19, Time to Crime: 105 Days
- p. ATF Trace Number: T20190401692, Request Date: 11/12/19, Time to Crime: 41 Days
- q. ATF Trace Number: T20190403760, Request Date: 11/14/19, Time to Crime: 56 Days
- r. ATF Trace Number: T20190417241, Request Date: 11/23/19, Time to Crime: 78 Days
- s. ATF Trace Number: T20190421619, Request Date: 11/27/19, Time to Crime: 67 Days
- t. ATF Trace Number: T20190429295, Request Date: 12/5/19, Time to Crime: 160 Days

25. SA Ginley reviewed the above multiple traces relevant to **Capital City Firearms & Supply**

LLC, FFL which occurred between the approximate times of April 2016 to December 2019

and noted the multiple “short time to crime” firearms. The phrase “time-to-crime” refers to the period between the last documented retail transaction to the date it is recovered by law enforcement. Your affiant knows from training and experience that the above listed “time-to-crimes” consist of a short amount of time and that this is one of several indicators of firearm trafficking. Most individuals who purchase firearms retain them for extended periods up to years in length. Therefore, whenever a firearm is recovered in a criminal offense shortly after it was purchased it is highly likely that the firearm was diverted to the criminal possession in some sort of firearm trafficking scheme. Your affiant also knows from training and experience that the shorter the time-to-crime to the firearm recovery most often indicates a more direct involvement in the firearm trafficking scheme.

26. As referenced in this affidavit, paragraph 24, SA Ginley conducted ATF Trace#:

T20180405412 in relation to **Capital City Firearms LLC, LLC FFL#:4-31-049-01-1F-**

05284, which resulted in a Taurus, model G2C, 9mm caliber pistol, serial #: TLN21147, time

to crime: 169 days. Similar to the explanation above from paragraph 25, your affiant knows from training and experience that a 169 day time-to-crime period is a short amount of time and an indicator of firearm trafficking. The following timeline of the Taurus, model G2C, 9mm caliber pistol, serial #: TLN21147 is as follows;

- a. Ship-To-Date: March 19, 2018- From the Zanders Sporting Goods, FFL#:33717572) to FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284**).
- b. Purchase Date: June 6, 2018 - From the FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**) to the Purchaser of ATF Trace#: T20180405412, (herein after referred to as Purchaser 2).
- c. Recovery Date: November 18, 2019 - Recovered by Columbus Division of Police-CPD Rpt # 180968937, Possessor-Calvert ALEXANDER, (DOB: 3/8/1985).

27. On or about December 16, 2019, SA Ginley and TFO Chappell conducted a recorded interview of the Purchaser 2 regarding the above described Taurus, model G2C, 9mm caliber pistol, serial #: TLN21147. Purchaser 2 stated to SA Ginley that he/she did not purchase a Taurus, model G2C, 9mm caliber pistol. Purchaser 2 stated to SA Ginley and TFO Chappell that he/she has never owned a Taurus G2C 9mm caliber semi-automatic pistol. Purchaser 2 stated he/she recalled **Capital City Firearms & Supply LLC, FFL** because he/she dealt with a **Capital City Firearms & Supply LLC, FFL** regarding a Bond Arms, .45 colt/410 caliber Derringer, serial #: 162519 that he/she purchased online and transferred through **Capital City Firearms & Supply LLC FFL**. Purchaser 2 stated that he/she purchased the Bond Arms Derringer in approximately 2017. Purchaser 2 also stated that he/she is still in possession of the Bond Arms Derringer. Purchaser 2 stated that the only firearm he/she had transferred through **Capital City Firearms & Supply LLC, FFL** was a Bond Arms

Derringer.

28. As referenced in this affidavit, paragraph 24, SA Ginley conducted ATF Trace#:

T20190186419 in relation to **Capital City Firearms LLC, LLC FFL#:4-31-049-01-1F-05284**, which resulted in a Taurus, model G2C, 9mm caliber pistol, serial #: TMA00216, time to crime: 24 days. Similar to the explanation above from paragraph 25, your affiant knows from training and experience that a 24 day time-to-crime period is a short amount of time and an indicator of firearm trafficking. The following timeline of the Taurus, model G2C, 9mm caliber pistol, serial #: TMA00216 is as follows;

- a. Ship-To-Date: May 1, 2019 - From the Zanders Sporting Goods, FFL#:33717572) to FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284**).
- b. Purchase Date: May 3, 2018 - From the FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**) to the Purchaser of ATF Trace#: T20190186419, (herein after referred to as Purchaser 3).
- c. Recovery Date: May 27, 2019 - Recovered by Columbus Division of Police- CPD Rpt # 190425714, Possessor-Darius STOVELL, (DOB: 3/31/2000).

29. On or about December 17, 2019, SA Ginley and TFO Jerry Orick conducted a recorded interview of Purchaser 3 regarding the above described Taurus, model G2C, 9mm caliber pistol, serial #:TMA00216. Purchaser 3 stated to SA Ginley that he/she did not purchase a Taurus, model G2C, 9mm caliber pistol. Purchaser 3 stated to SA Ginley that he/she has never owned a Taurus 9mm handgun but that he/she did in fact recall **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**. Purchaser 3 stated that he/she recalls purchasing a rifle online from that was transferred through **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**.

30. ATF Investigators discovered that on September 24, 2019, **David L. BROWN** was arrested

by Reynoldsburg Police Department (RPD) for Operating a Vehicle While Under the Influence (OVI) and Weapons While Intoxicated, RPD, Rpt 19REY-34215-AR. During this incident a Smith & Wesson, model SD9VE, 9mm caliber pistol, serial #: FBD2303 was seized.

31. As referenced in this affidavit, paragraph 24, SA Ginley conducted ATF Trace#:

T20190353097 in relation to **Capital City Firearms LLC, LLC FFL#:4-31-049-01-1F-05284**, which resulted in a Smith & Wesson, model SD9VE, 9mm caliber pistol, serial #: FBD2303, time to crime: 2 days. Similar to the explanation above from paragraph 25 your affiant knows from training and experience that a 2 day time-to-crime period is a short amount of time and an indicator of firearm trafficking. The following timeline of the Smith & Wesson, model SD9VE, 9mm caliber pistol, serial #: FBD2303 is as follows;

- a. Ship-To-Date: September 13, 2019- From the Chattanooga Shooting Supplies, FFL#:16213642) to FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284**).
- b. Purchase Date: September 27, 2019- From the FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**) to the Purchaser of ATF Trace#: T20190353097, (herein after referred to as Purchaser 4).
- c. Recovery Date: September 24, 2019 – (the firearm was recovered before it was reported as purchased on September 27, 2019), Recovered by Reynoldsburg Police Department (RPD) - Rpt # 19REY34215-AR, Possessor-David **BROWN**, (DOB: 1/7/1985)-Same David L **BROWN** that is the FFL Licensee of **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284**.

32. The Smith & Wesson, model SD9VE, 9mm caliber pistol, serial #: FBD2303 has remained in RPD custody since the inception of this criminal incident on September 24, 2019 and could not have been sold/purchased on September 27, 2019. ATF Investigators discovered that subsequent to the arrest of **BROWN**, Reynoldsburg Police Department submitted the trace of

the Smith & Wesson, model SD9VE, 9mm caliber pistol, serial #: FBD2303 and entered the recovery information date of the trace as September 27, 2019. The correct date should have been the actual arrest date of September 24, 2019. ATF Investigators have reason to believe the date of September 27, 2019 to be significant, as it appears **BROWN** utilized this wrong date when creating a documentation of the above firearm.

33. On or about December 16, 2019 investigators went to the **TARGET LOCATION**. Inside the lobby on the directory for the building investigators observed the initials CCF for suite 111. Investigators went to the door for suite 111. No signage with business name or hours of operation were visible. The door was locked and it did not appear anyone was inside the business.
34. On or about December 18, 2019, SA Ginley conducted a telephonic interview of Purchaser 4 regarding the above-described Smith & Wesson, model SD9VE, 9mm caliber semi-automatic pistol, and serial #: FBD2303. Purchaser 4 stated that he/she recalls purchasing a rifle around the approximate time of September 27, 2019 from a purported FFL in Dayton, Ohio but that he/she never dealt with a David **BROWN** or **CAPITAL CITY FIREARMS & SUPPLY LLC**, FFL Purchaser 4 stated the transaction occurred through an individual named **Albert BRADFORD**. Purchaser 4 stated that he/she never purchased the Smith & Wesson, model SD9VE, 9mm caliber semi-automatic pistol, and serial #: FBD2303. Purchaser 4 stated that he was introduced to **BRADFORD** by a friend (hereinafter referred to as confidential source or CS).
35. SA Ginley conducted a Criminal History check on **BRADFORD**. (FBI #: XH5A0M9TD), which revealed that he has arrests and the following felony conviction:

- a. In Hancock County Court of Common Pleas, Case No. 2017 CR 00140, with a Judgement Entry date of on or about February 16, 2018, Attempted Aggravated Possession of Drugs, Felony of the Fourth Degree.
36. The aforementioned conviction prohibits **BRADFORD** from the possession of firearms.
37. On or about December 26, 2019, SA Colin Ginley conducted a telephonic interview of the CS regarding the sale of the Smith & Wesson, model SD9VE, 9mm caliber semi-automatic pistol, and serial #: FBD2303 by **BRADFORD** to Purchaser 4.
38. The CS stated to SA Ginley that he/she introduced Purchaser 4 to **BRADFORD**. The CS stated that he/she was not present with Purchaser 4 during the firearms purchase between **BRADFORD** and Purchaser 4.
39. The CS provided SA Ginley screenshots of text messages that occurred with **BRADFORD**.
40. The CS stated that he/she received multiple pictures of firearms from **BRADFORD**. The received text messages from **BRADFORD** indicated the selling of firearms.
41. The CS provided SA Ginley a screenshot of **BRADFORD**'s business card that he/she received directly from **BRADFORD**. More specifically, the CS provided SA Ginley a screenshot of **BRADFORD**'s business card that he/she received from **BRADFORD**. The information on the card was as follows;
 - a. 5553 Chatford Dr Unit H, Columbus, OH 43232- 614-407-4942
 - b. 2416 Wayne Ave, Dayton, OH, 45420-937-901-3980
 - c. A&J Tax Services
 - d. Albert **BRADFORD**-Owner-AJTaxLLC@gmail.com
42. The business card information contained addresses and phone numbers known to or related to **BRADFORD**, **BROWN** and **CAPITAL CITY FIREARMS & SUPPLY LLC**, FFL#: **4-31-049-01-1F-05284**.
43. As detailed above, the number of (614) 407-4942 is the same telephone number that SA

Ginley confirmed as being the forwarding telephone number of **BROWN** and **CAPITAL CITY FIREARMS & SUPPLY LLC**, FFL#: **4-31-049-01-1F-05284** that forwards to the (614) 270-9557 telephone number.

44. On or about December 30, 2019, SA Ginley conducted a LLC inquiry on the Ohio Secretary of State LLC filings search for **BRADFORD** and/or A&J Tax Service, which resulted in negative results.
45. On or about December 13, 2019, ATF Investigators conducted a LLC inquiry on the Ohio Secretary of State LLC filings search for **CAPITAL CITY FIREARMS & SUPPLY LLC** and discovered an Entity#: 2380133, with an original filing date of February 26, 2015 and the following individual was listed as the Agent/Registrant/Incorporator;

a. **David L. BROWN**, 5551 Chatford Drive, Apt K, Columbus, Ohio 43232.

46. Investigators recognize that the address of 5551 Chatford Drive, Columbus Ohio, 43232 is a multiple apartment style building/structure and recognize that it has been utilized by **BROWN, BRADFORD** and/or **CAPITAL CITY FIREARMS & SUPPLY LLC**, FFL resulting in various apartment numbers such as; Apt K (LLC), Apt F(FFL/FLS), and Apt H (A& J Tax Services). Investigators believe this is not a coincidence but a purposeful methodology by the above parties to obscure each entity from the **TARGET OFFENSES** and activity.

47. Investigators have contacted four listed purchasers of recovered crime guns sold by **CAPITAL CITY FIREARMS & SUPPLY LLC**, FFL. All four purchasers have denied purchasing the recovered crime guns. All of the purchasers interviewed stated they have

purchased firearms from either **BROWN** or **BRADFORD** but not the actual recovered crime guns. All four purchases were sold under the **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**.

48. As referenced in this affidavit, paragraph 24, SA Ginley conducted ATF Trace#:

T20180408816 in relation to Capital City Firearms LLC, LLC FFL#:4-31-049-01-1F-05284, which resulted in a Taurus, model G2S, 9mm caliber pistol, serial #: TLN13454, time to crime: 236 days. Similar to the explanation above from paragraph 25, your affiant knows from training and experience that a 236 day time-to-crime period is a short amount of time and an indicator of firearm trafficking. The following timeline of the Taurus, model G2S, 9mm caliber pistol, serial #: TLN13454 is as follows;

49. Ship-To-Date: March 26, 2018- From Zanders Sporting Goods FFL#:33717572) to FFL

(**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284**).

50. Purchase Date: March 30, 2018- From the FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**) to MATHIS, (the Purchaser of ATF Trace#: T20180408816).

51. Recovery Date: November 21, 2019 - Recovered by Detroit Police Department- Rpt # 181121-0237, Possessor-Raymond PARKER JR., (DOB: 1/1/1996).

52. As referenced in this affidavit, paragraph 24, SA Ginley conducted ATF Trace#:

T20190377707 in relation to **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL #**:4-31-049-01-1F-05284, which resulted in a Taurus, model G2S, 9mm caliber pistol, serial #: TMB25960, time to crime: 105 days. Similar to the explanation above from paragraph 25, your affiant knows from training and experience that a 105 day time-to-crime period is a short amount of time and an indicator of firearm trafficking. The following timeline of the

Taurus, model G2S, 9mm caliber pistol, serial #: TMB25960 is as follows;

- a. Ship-To-Date: July 1, 2019- From Zanders Sporting Goods FFL#:33717572) to FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284**).
- b. Purchase Date: July 5, 2019- From the FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**) to **MATHIS**, (the Purchaser of ATF Trace#: T20190377707).
- c. Recovery Date: October 18, 2019 - Recovered by Toronto Canada Police - Rpt # 2019-2011740, Possessor-Omari LAMONT, (DOB: 9/22/2003).

53. As referenced in this affidavit, paragraph 24, SA Ginley conducted ATF Trace#:

T20190372829 in relation to **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL #**:4-31-049-01-1F-05284, which resulted in a Taurus, model G2S, 9mm caliber pistol, serial #: TLU76604, time to crime: 108 days. Similar to the explanation above from paragraph 25, your affiant knows from training and experience that a 108 day time-to-crime period is a short amount of time and an indicator of firearm trafficking. The following timeline of the Taurus, model G2S, 9mm caliber pistol, serial #: TLU76604 is as follows;

- a. Ship-To-Date: June 26, 2019- From Zanders Sporting Goods FFL#:33717572) to FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL#: 4-31-049-01-1F-05284**).
- b. Purchase Date: July 5, 2019- From the FFL (**CAPITAL CITY FIREARMS & SUPPLY LLC, FFL**) to **MATHIS**, (the Purchaser of ATF Trace#: T20190372829).
- c. Recovery Date: October 21, 2019 - Recovered by Ontario Provincial Police - Rpt # OP19468977, Possessor-Troy BEHARRY, (DOB: 8/29/1989).

54. ATF investigators reviewed documents and conducted inquiries into **CAPITAL CITY FIREARMS & SUPPLY LLC, FFL** and it was discovered that **CAPITAL CITY FIREARMS & SUPPLY LLC** never completed/submitted an ATF Form 3310.4 for the transaction of Multiple Sale of handgun regarding the above referenced firearm transactions.
55. SA Ginley conducted a Criminal History check on MATHIS. (DOB: 1/7/1990), which revealed that she has no felony convictions.
56. SA Ginley conducted a law enforcement database check and it was discovered that MATHIS, (the Purchaser of ATF Trace#: T20180408816) resided at 8069 Bryden Street, Detroit, Michigan 48204 with the Possessor-Raymond PARKER JR., (DOB: 1/1/1996) and at one point in time was listed as an acquaintance with PARKER JR.
57. Tax returns filed with the State of Ohio by **CAPITAL CITY FIREARMS & SUPPLY LLC** show that **CAPITAL CITY FIREARMS & SUPPLY LLC** did not file sales tax with the state of Ohio from 2017-2019 **CAPITAL CITY FIREARMS & SUPPLY LLC** has also not filed withholdings or commercial activity tax with the State of Ohio from 2015-2019. While **CAPITAL CITY FIREARMS & SUPPLY LLC** did file sales tax in 2015-2016 with the State of Ohio, they listed \$0.00 in gross sales and exempt sales.
58. Neither **BRADFORD** nor **BROWN** listed any income from **CAPITAL CITY FIREARMS & SUPPLY LLC** on their tax returns with the State of Ohio.
59. Based on your affiant's knowledge, training, and experience in investigating illegal firearms traffickers, and illegal firearms trafficking conspiracies, your affiant knows the following:
60. That those individuals will communicate through use of telephones to coordinate acts of their illegal firearm trafficking scheme;

61. **BROWN** listed A & J Tax Services as his tax preparer for his 2017 State of Ohio return. **BRADFORD** was listed as the contact for A & J Tax Services. **BROWN** listed **BRADFORD** as his tax preparer for his 2018 State of Ohio return. **BRADFORD** listed A & J Tax Services as his tax preparer for his 2017 State of Ohio return. Albert **BRADFORD** was listed as the contact for A & J Tax Services. **BRADFORD** listed himself as his tax preparer for his 2018 State of Ohio return.

CONCLUSION

62. Based upon the above information set forth in this affidavit, I submit there is probable cause to believe that the individuals identified as Albert **BRADFORD**, David **BROWN**, Shaneka **MATHIS** and **CAPITAL CITY FIREARMS & SUPPLY LLC**, FFL #: 4-31-049-01-1F-05284, and others have violated Title 18 United States Code 923 (a)-FFL Dealing Firearms from a Location Other than the Licensed Premises, Title 18 United States Code 922(b)(5)-FFL Failing to Keep Required Records, and Title 18, United States Code 371, Conspiracy to violate the law of the United States.
63. Your Affiant further submits there is probable cause to believe that the property and premises located at the **TARGET LOCATION**, contains evidence and instrumentalities of violations of federal law, including Title 18 United States Code 923 (a), Title 18 United States Code 922(b)(5), Title 18, United States Code 371, Conspiracy to violate the law of the United States, namely: evidence of a crime; contraband, fruits of a crime, or other items illegally possessed; property and materials designed for use, intended for use, or used in committing violations of those statutes.
64. Accordingly, your affiant respectfully requests that this Court issue a warrant, authorizing the

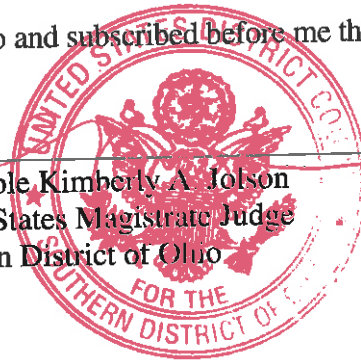
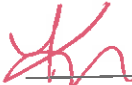
search of the property and premises located at **TARGET LOCATION**, as more particularly described in Attachment B hereto, incorporated herein by reference and authorization to search for and seize the items described in Attachment A hereto, incorporated herein by reference.

65. Your affiant further requests that this Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the application and search warrant. Your affiant believes that sealing this document is necessary because the items and information to be seized are relevant to an ongoing investigation into criminal activity, the entire extent of which is not known at this time. Based upon my training and experience, and information I have received from ATF and other law enforcement agents, your affiant knows that criminals actively search for criminal affidavits and search warrants via the internet, and disseminate them to other criminals as they deem appropriate, e.g., post them publicly online through different forums. Premature disclosure of the contents of this affidavit and related documents may have a significant and negative impact on the continuing investigation and may severely jeopardize its effectiveness.



Colin J. Ginley
Special Agent, ATF

Sworn to and subscribed before me this 28th day of January 2020 in Columbus, Ohio.



Honorable Kimberly A. Tolson
United States Magistrate Judge
Southern District of Ohio

ATTACHMENT A
LOCATION TO BE SEARCHED:

415 E. Broad St, Suite 111, Columbus, Ohio 43215. The front of the business is depicted in the first photograph and the office directory is depicted in the second photograph with the letters CCF next to Suite 111:



ATTACHMENT B
ITEMS TO BE SEIZED:

Based on the foregoing, I respectfully submit that there is probable cause to believe that the following items will be found at 415 E. Broad St, Suite 111, Columbus, Ohio 43215:

- a. Firearms, ammunition, firearms parts, firearm paraphernalia, and firearm accessories.
- b. Books, records, notes, ledgers, and other papers relating to the transportation, purchase, distribution, packaging, and illegal sale of firearms, which may be maintained in either paper form or on computers, computer disks, CD-ROM disks, DVD disks, portable storage devices, or other related equipment;
- c. Books, records, receipts, notes, ledgers, airline tickets, money orders, and other records related to the receipt, expenditure and concealment or other disposition of income, which may be maintained in either paper form or on computers, computer disks, CD-ROM disks, DVD disks, portable storage devices, or other related equipment, relating to the illegal trafficking of firearms;
- d. Books, papers, and documents and information contained within cellular phones and electronic organizers reflecting names, addresses, telephone numbers, and other contact or identification information of participants in illegal trafficking of firearms activities;
- e. Cash, currency, currency counters, financial instruments, and records relating to illegal firearms trafficking income and expenditure of proceeds of illegal firearms trafficking, and evidence of financial transactions relating to obtaining, transferring, secreting, or spending of large sums of money made from engaging in illegal trafficking of firearms activities;
- f. Bank and other financial institution records consisting of savings, loans, records of deposits, statements, letters of credit, money orders, cashier checks, passbooks, cancelled checks, certificates of deposit, lease agreements, customer account information, income and expense summaries, cash disbursement journals, financial statements, state and federal income tax returns, information related to the receipt and other disposition of income, and related financial information pertaining to the purchase, lease, sale or other disposition of real or personal property, including real estate, automobiles, jewelry, and furniture;
- g. United States currency, precious metals, jewelry, and financial instruments, as well as books and records regarding the acquisition, use and disposition of such items of value;
- h. Any safes, vaults, or secured storage equipment that could secret any of the above listed items, and the contents therein.